

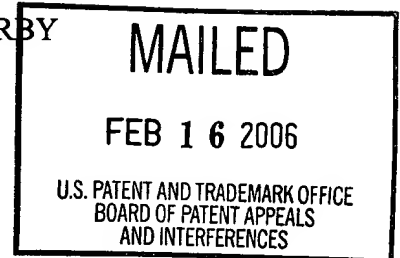
The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte CLIFF BURKE THOMPSON and DAVID KIRBY

Application No. 09/576,462



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on January 24, 2006 . A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

**REMAND TO THE EXAMINER**

On April 29, 2005, a Remand to the Examiner was mailed and the application was returned to the Examiner for further consideration. Appellant responded to the Remand to the Examiner with a response entitled Reply Brief, received on November 18, 2005. An Acknowledgment of Reply Brief was mailed on December 27, 2005, however, there is no

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indication that the Examiner complied with the requirements of the Remand to the Examiner mailed April 29, 2005. The Examiner's consideration is required.

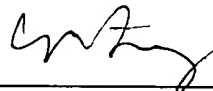
Accordingly, it is

Ordered that the application is returned to the examiner to:

1) consideration and proper written response to Remand to the Examiner mailed April 29, 2005;

2) and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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